

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|--------------------------------------|---|-----------------|
| THE APPLICATION OF CAPITAL NETWORK |) | |
| SYSTEM, INC. D/B/A CAPITAL LONG |) | CASE NO. 93-297 |
| DISTANCE FOR A CERTIFICATE TO RESELL |) | |
| TELECOMMUNICATIONS SERVICE |) | |

O R D E R

IT IS ORDERED that Capital Network System, Inc. d/b/a Capital Long Distance ("Capital Long Distance") shall file the original and ten copies of the following information with the Commission. The information requested shall be placed in a bound volume with each item tabbed.

The information requested herein is due no later than 30 days from the date of this Order. If the information cannot be provided by this date, Capital Long Distance shall submit a motion for an extension of time stating the reason a delay is necessary and include a date by which the information can be furnished. Such motion will be considered by the Commission.

1. If Capital Long Distance intends to resell services that are not available under an approved tariff, provide copies of the contracts which govern the terms of the agreement between Capital Long Distance and its facilities-based carriers.

2. Provide a toll-free number or provision for accepting collect calls for customer complaints.

3. For the following questions, refer to Capital Long Distance's proposed tariff filed August 20, 1993:

a. Refer to the Original Title Page or Cover Sheet. Delete the words "operator-assisted" from the tariff description on this sheet.

b. Refer to Original Page 8, Heading 2.4, Liabilities of the Company. Insert a new Heading 2.4.3 which includes the following language:

Acceptance by the Commission of the liability provisions contained in this tariff does not constitute its determination that the limitation of liability imposed by the company should be upheld in a court of law, but the recognition that, as it is the duty of the courts to adjudicate negligence claims and rights to recover damages therefor, so it is the duty of the courts to determine the validity of the exculpatory provisions of this tariff.

c. Refer to Original Page 8, Heading 2.6, Advance Payments. Explain Capital Long Distance's policy regarding deposits and why advance payments aren't considered deposits.

d. Refer to Original Page 10, Heading 2.11, Cancellation by Customer. Substitute the following language under this heading:

Any customer desiring service terminated or changed, shall give the utility three working days notice in person, in writing, or by telephone, provided such notice does not violate contractual obligations or tariff provisions.

e. Refer to Original Pages 11 and 12. Heading 2.13, Refusal or Discontinuance by Company. Delete all text and subheadings in this section and insert the following language:

Capital Long Distance may refuse or discontinue service pursuant to the provisions of 807 KAR 5:006, Section 14.

f. Refer to Original Page 13, Heading 2.16, Interruption of Service. Provide any arithmetical formula used in determining the credit allowance for interrupted service.

Done at Frankfort, Kentucky, this 1st day of October, 1993.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director